

REMARKS

Claim 1, for example, has been amended to include the subject matter of former dependent claim 4 calling for a black resilient material.

The office action rejects claim 4 as being obvious over Greene taken alone. The office action admits that the single cited reference does not teach a black material. The use of a black material cannot be inherently obvious because to make out a *prima facie* rejection, not only must a reference be cited, but a rationale from within the prior art must be shown to modify the cited reference to meet the claim limitation. Here that is impossible. That is, the single cited reference cannot teach modifying itself. Therefore, not only is an element missing, but a rationale to modify the reference to teach what it cannot possibly teach is also missing.

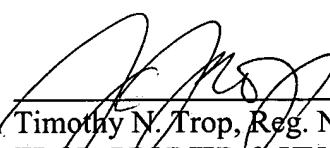
While the Examiner is correct that the low elastic modulus could possibly be black and that one skilled in the art would desire to select a known material on the basis of its suitability for its intended use, everything is possible and everything that is patentable is more suitable than other things. Therefore, suitability and possibility do not make out an obviousness rejection. They simply define the hallmark of every single desirable patentable invention.

For this same reasoning, all of the claims currently pending patentably distinguish over the art of record.

With respect to the comment concerning the reference numeral 18, it is noted that the reference numeral 18 refers to the front portion of 15. As used in the application, the front would refer to the top portion. Therefore, it is believed that the usage of the reference numeral 18 is correct in the application.

Respectfully submitted,

Date: 3/23/03



Timothy N. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880 [Phone]
713/468-8883 [Fax]